

Order

**Michigan Supreme Court
Lansing, Michigan**

June 21, 2017

Stephen J. Markman,
Chief Justice

ADM File No. 2017-11

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen
Kurtis T. Wilder,
Justices

Adoption of Rule 8.115 of
the Local Court Rules of the
Third Judicial Circuit Court

On order of the Court, notice of the proposed changes and an opportunity for comment having been provided, the following Rule 8.115 of the Local Court Rules of the Third Judicial Circuit Court is adopted, effective July 1, 2017.

Rule 8.115 Courthouse Decorum

- (A) This court rule applies to the conduct and dress of those who attend court or engage in business in the court offices, including attorneys, litigants, witnesses, jurors, and interested persons.
- (B) Court proceedings shall be conducted in a manner that protects the dignity and seriousness of the proceedings. Conduct by any person that may interfere with the decorum of the court is prohibited and may result in removal of that person from the court and/or a finding of contempt of court.
- (C) Attorneys shall wear proper business attire while attending court, unless excused from doing so by the court.
- (D) Jurors, parties, witnesses, and interested persons should wear appropriate attire while attending court, unless excused from doing so by the court.
- (E) The jury clerk shall assist the court in ensuring compliance with this rule and may require a juror whose clothing does not comply with subsection (D) to obtain appropriate attire or to report for service on a later date. A juror who fails to return to court as directed may be found in contempt of court and is subject to the penalties permitted by statute and court rule.
- (F) Persons attending court are required to abide by the following guidelines, which are representative rather than all inclusive.
 - (1) Smoking or the use of electronic smoking devices, eating, drinking beverages other than water, and gum chewing are not allowed in any courtroom at any time, whether during sessions of the court or during a recess.

- (2) Taking photographs or making other audio or video recordings is not allowed in the courtroom without the express permission of the court.
- (3) All conversations and reading of non-case related materials like books, newspapers, and periodicals, except as necessary for the matter before the court, are prohibited in the courtroom during sessions of the court.
- (4) Cellular telephones, beepers, and electronic communication devices that have the capacity to disrupt court proceedings must be turned off or set for silent notification during sessions of the court. Individuals shall not answer or send messages from telephones, beepers, or other electronic communication devices while the court is in session. Failure to comply with this section may result in the seizure of the device, a fine, incarceration, or both for contempt of court.
- (G) Each business office of the court may set a policy regarding the use of cellular telephones, beepers, and other electronic communication devices in that office.
- (H) It is within the discretion of the judge to have an individual removed from the courtroom if the individual's conduct or dress does not comport with this rule.

Staff Comment: These local court rule provisions of the Third Judicial Circuit Court have been adopted to reinforce the solemnity and importance of court proceedings, clearly enunciate to all court users the conduct expected or prohibited in court facilities, and establish a single standard.

The staff comment is not an authoritative construction by the Court.



cah

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 21, 2017

Clerk